

Wetlands Bureau Decision Report

Decisions Taken
02/14/2011 to 02/20/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2008-01047 HAMPTON RIVER MARINA LLC
HAMPTON Atlantic Ocean

Requested Action:

Applicant proposes to dredge 185175 sq. ft. of sediment from inner and outer basins of a marina located in the Hampton River, Hampton.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny as untimely response applicant's request to dredge 185175 sq. ft. of sediment from inner and outer basins of a marina located in the Hampton River, Hampton.

With Findings:

1. An email request for additional information dated September 18, 2008, addressed to the applicant or agent of record.
2. A second email request for more information was sent to the applicant or agent on February 25, 2010.
3. Pursuant to RSA 482-A:3, the application fee shall be \$.20 per square foot of proposed impact for all minor and major impact dredge and fill projects.
4. The applicant was informed several times, as early as February 23, 2007 in file 2004-00615, that the proposed project would be classified as a major project. Therefore all criteria of a major project would need to be met.
5. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
6. DES did not receive the requested additional information within the 60 days of either request, and therefore the application has been denied.

2009-00185 WESTON REVOC TRUST, SHARON
NEW CASTLE Piscataqua River

Requested Action:

Applicant requests to extend the docking structures further into the Piscataqua River past an eelgrass bed per the request of NOAA NMFS.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission intervened on this application on March 9, 2009 to conduct a site walk. No follow-up report or comments were received.

APPROVE AMENDMENT:

Amend the previous project description by extending the construction of the fixed timber pier an additional foot to 6 ft. x 123 ft., with 3 sets of dolphins (3-piling clusters) at the three seaward piling locations for ice protection, to a gangway extended an additional 15 ft. to 3 ft. x 65 ft. landing on a 12 ft. x 40 ft. floating dock on 190 ft. of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors revised through 11/09/10, as received by DES on November 16, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the

Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

5. The decking of the dock shall have a minimum of 6 feet clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a); projects in tidal wetlands
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 28, 2009. Field inspection determined the 6 foot wide X 122 long fixed pier as proposed w/ dolphin clusters on the last 3 bents for ice protection is recommended due to the strong currents of the Piscataqua River and ice flows experienced at this location.
6. The Chief Harbor Master for the Pease International, Division of Ports and Harbors reports: "We examined the proposed site and found that the project would have no negative effect on navigation in the channel."
7. On November 16, 2010, DES received a request to amend the existing permit. The amendment is being sought to address concerns brought forward by the National Oceanic and Atmospheric Administration, National Marine Fisheries Service ("NMFS"). NMFS requested a survey of eelgrass (*Zostera marina*) in the vicinity of the proposed docking structures. The location of these structures was modified to extend past the eelgrass bed(s).
8. The Chief Harbor Master for the Pease International, Division of Ports and Harbors (the "Harbor Master") reports: "The revised plans calls for the structure to protrude slightly further towards the channel. We [the Harbor Master] examined the proposed site and found that the project would have no negative effect on navigation in the channel."
9. On January 24, 2011, DES sent a 'Request for More Information' ("RFMI") via electronic mail as authorized by the applicant. The RFMI, in summary, requested the following: 1. An additional fee for the enlarged docking structures; and, 2. Abutter concurrence for locating the docking structures within 20-feet of an abutter's property boundary.
10. DES is in receipt of a signed, Notarized copy of the abutter's concurrence for the said docking structures within 20-feet of their property boundary.
11. On January 28, 2011, DES received the fees requested; therefore satisfying the requests of the RFMI.

-Send to Governor and Executive Council-

2010-02765 NH DEPT OF TRANSPORTATION
ERROL Tributary To Androscoggin River

Requested Action:

Amend permit to add guardrail and reduce jurisdictional impacts by 163.6 sq. ft.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE AMENDMENT:

Amend to read: Relocate 2,800 linear feet of NH Route 16 to a new alignment further from the river impacting 11,786 sq. ft. of palustrine and riverine wetlands. NHDOT project #15925

With Conditions:

1. All work shall be in accordance with plans by CHA for NHDOT Bureau of Highway Design dated 1/24/2011, as received by the Department on Jan. 27, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES

Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by permit condition #3. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.

3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

4. Construction equipment shall not be located within surface waters.

5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

7. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.

8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

13. After removal of the pavement from the abandoned roadbed, the area shall be revegetated as soon as possible.

14. Plantings along the riverbank shall be incorporated into the design as discussed at the July 21, 2010 Natural Resource Agency Coordination Meeting.

15. Written permission from each property owner impacted by this project, whether temporary or permanent, shall be gained by the applicant prior to construction.

16. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of stream channel or banks.

2. The amendment reduces the permitted impacts.

2010-02912 DANIELL, BARBARA
GILFORD Lake Winnepesaukee

Requested Action:

Retain the expansion of an 7 ft x 51 ft breakwater to dimensions of 11 ft x 50 ft, repair two 6 ft x 45 ft piling piers and a connecting 6 ft x 15 ft walkway, repair two 6 ft x 40 ft piling piers, remove a 6 ft wide section of unauthorized deck, and repair the remaining 24 ft x 20 ft deck connecting the 40 ft piers, install a 14 ft x 30 ft seasonal canopy, and remove a 12 ft jetty on an average of 430 ft of frontage on Governors Island, Lake Winnepesaukee, in Gilford.

APPROVE PERMIT:

Retain the expansion of an 7 ft x 51 ft breakwater to dimensions of 11 ft x 50 ft, repair two 6 ft x 45 ft piling piers and a connecting 6 ft x 15 ft walkway, repair two 6 ft x 40 ft piling piers, remove a 6 ft wide section of unauthorized deck, and repair the remaining 24 ft

x 20 ft deck connecting the 40 ft piers, install a 14 ft x 30 ft seasonal canopy, and remove a 12 ft jetty on an average of 430 ft of frontage on Governors Island, Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised December 22, 2010, as received by the Department on January 19, 2011.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from the normal full lake shoreline of the 9 ft x 11 ft peninsula from which it extends.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
9. The breakwater shall have an irregular face to dissipate wave energy.
10. The repairs shall maintain the approved size, location and configuration of the structures.
11. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. The two seasonal personal watercraft lifts shall be removed from the lake for the non-boating season.
13. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a breakwater.
2. The project as proposed will provide a more structurally stable and functional breakwater and will restore the piers and walkways to their previously permitted dimensions.
3. The project will not provide additional boat slips on the frontage.
4. Public hearing is waived with the finding that the project impacts will not adversely impact the resources of Lake Winnepesaukee.

2010-03458 LAMSON, BONNIE/PAUL
DOVER Little Bay

Requested Action:

Permanently impact 450 sq. ft. of tidal wetland for installation of 18-24 inch rip-rap on an eroding bank and temporarily impact 300 sq. ft. of tidal wetland for debris and rock rubble removal. Construct a tidal docking structure consisting of a 3 ft. x 40 ft. ramp connecting to a 12 ft. x 20 ft. float, overall structure length 60 ft., providing one slip on 70 ft. of frontage on Little Bay. Impact 320 sq. ft. of previously developed upland tidal buffer zone for the construction of a gravel driveway.

Inspection Date: 01/30/2011 by David A Price

APPROVE PERMIT:

Permanently impact 450 sq. ft. of tidal wetland for installation of 18-24 inch rip-rap on an eroding bank and temporarily impact 300 sq. ft. of tidal wetland for debris and rock rubble removal. Construct a tidal docking structure consisting of a 3 ft. x 40 ft. ramp connecting to a 12 ft. x 20 ft. float, overall structure length 60 ft., providing one slip on 70 ft. of frontage on Little Bay. Impact 320 sq. ft. of previously developed upland tidal buffer zone for the construction of a gravel driveway.

With Conditions:

1. All work shall be in accordance with plans by Knight Hill Land Surveying Services, Inc. and Wetland Consulting Services dated October 28, 2010, as received by the NH Department of Environmental Services (DES) on December 30, 2010, revised plans dated January 11, 2011, as received by the DES on January 13, 2011, and cross-section dated February 15, 2011, as received by the DES on February 16, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. Work shall be done during low tide.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The ramp shall have a minimum of 3 feet clearance from the surface of the tidal marsh, the decking of the dock shall have 3/4-inch spacing between the decking planks, and the float shall have skids to prevent it from sitting on the mud at low tide.
10. These shall be the only structures on this water frontage and all portions of the docking structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that the shoreline is eroding and in need of stabilization. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed rip-rap will prevent further erosion into the tidal wetland area. This approval is conditional on the applicant providing one foot of height to one foot of width with 3/4 inch spacing between decking to prevent shading of the tidal vegetation, and float skids to prevent the float from sitting on the mud at low tide.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. It was determined by NH Natural Heritage Bureau (NHB) there was record of a species of special concern within the vicinity of the project. NHB does not expect that it will be impacted by the project.
5. DES Staff conducted a field inspection of the proposed project on January 31, 2010. Field inspection determined that the plans accurately reflect the site conditions.
6. The Newington Conservation Commission recommends approval of the project.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

Requested Action:

Dredge and fill 1,876 square feet (136 linear feet) of the bed and banks of the Ammonoosuc River for the replacement of a bridge. Work in jurisdiction includes 278 square feet of temporary impacts for construction access; 1,046 square feet for bridge abutments and scour protection; and 552 square feet of the stream bed which will be restored following the removal of the existing bridge pier.

APPROVE PERMIT:

Dredge and fill 1,876 square feet (136 linear feet) of the bed and banks of the Ammonoosuc River for the replacement of a bridge. Work in jurisdiction includes 278 square feet of temporary impacts for construction access; 1,046 square feet for bridge abutments and scour protection; and 552 square feet of the stream bed which will be restored following the removal of the existing bridge pier.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc. entitled Mount Washington Hotel Entrance Road Bridge Replacement (Sheets 1-2 of 2) dated December 2010, revised February 15, 2011 as received by DES on February 17, 2011.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans and a detailed construction sequence. Those plans shall detail sand bag system and protections for water quality.
3. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. The Permittee shall monitor the weather and not commence work within flowing water, including the installation of cofferdams, when rain (>0.5 inches) is in the forecast.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
8. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02 (p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant requested an expedited review on January 25, 2011 due to the limited construction window.
6. The department granted an expedited review on February 04, 2011 in accordance with Department of Environmental Services Standard Operating Procedure, No. 201-Processing of Permit Applications.
7. The applicant provided a notarized letter from the owner of property located at Town of Carroll tax map 211 lot 46.1 and 47 waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.
8. The bridge was designed to accommodate the 100 year recurrence interval flood event.
9. The Carroll Conservation Commission and the Ammonoosuc River Local Advisory Committee requested that stormwater is directed in a manner that allows for filtration before it reaches the river.
10. Stormwater will be directed to vegetated areas and filtered by the vegetation before entering the Ammonoosuc River.
11. The Carroll Conservation Commission report stated that there has been significant snow fall and that erosion and stormwater control measures outlined in the engineering plans area should be strictly adhered to and inspected throughout the project.
12. The engineer indicated that they are aware of the potential for high spring runoff and have proposed minimum disturbance to construct the bridge. The engineer further indicated that they will work with the contractor to ensure the specified erosion and stormwater controls are installed and monitored properly.
13. The Ammonoosuc River Local Advisory Committee requested to see any reports of inspections of the project to insure compliance with the permit.
14. Construction will be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
15. The NHDES Rivers Coordinator stated that the report by the project engineer dated February 17, 2011 has sufficiently addressed the NHDES Rivers questions.
16. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.
17. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2010-00402 ROY, MARTIAL
DERRY Unnamed Wetland

Requested Action:

Proposal to dredge and fill 12,300 sq. ft. of wetlands to expand a storage yard at an existing wood recycling plant. Work consists of wetlands fill, installation of a new manhole, extending the existing 24 in. ADS drainage culvert by 173 ft. and adding an associated headwall and side slope protection.

APPROVE PERMIT:

Dredge and fill 9,923 sq. ft. of wetlands to expand a storage yard at an existing wood recycling plant. Work consists of wetlands filling, installation of a new manhole, extending the existing 24 in. ADS drainage culvert by 141 linear ft. and adding an associated headwall, side slope protection and a new culvert apron.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. revision date of September 21, 2010, as received by the NH Department of Environmental Services (DES) on February 3, 2011 and sediment erosion control plan by Gove Environmental Services, Inc., date February 2010, as received by DES on February 22, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. This permit is contingent on submittal of an as-built plan to DES within 60 days of the completion of impact construction.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved permit, plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES received comments dated April 16, 2010 from the United States Environmental Protection Agency ("EPA") indicating the project is ineligible for the New Hampshire State Programmatic General Permit ("SPGP") due to the need of a mitigation plan.
6. The impacts have been reduced below 10,000 (i.e., 12,300 sq. ft. to 9,923 sq. ft.) and compensatory mitigation is no longer required by DES per Administrative Rule Env-Wt 302.03(c)(2).
7. The approval is conditioned on receipt of an as-built plan to document the wetlands impacts did not exceed 9,923 square feet.
8. DES is unaware of any new comments from the EPA based on the reduced impacts.
9. The New Hampshire Fish and Game Department, Nongame and Endangered Species Program does not expect impacts to Blanding's or spotted turtle as the wetlands planned to be impacted do not appear to be their preferred habitat.
10. The Derry Conservation Commission (DCC) has raised concerns regarding a previous wetland permit issued in 1999 at the same

site. The Derry Conservation Commission requests that historic permitted impact be calculated in total impact at the site. The DCC argues that the mitigation requirements should be triggered combining these impacts over time.

11. The mitigation rules were first effective in 2004, therefore the permitted impacts in 1999 were not subject to these mitigation requirements.

12. Env Wt 303.02(1) provides that projects are accumulated as major when taken in the aggregate with previous work on the property within the last 5 years. The previous permit occurred over 10 years ago.

13. The waiver request in GES letter dated October 27, 2010 seeking a waiver to project specific permit condition # 5. This condition would impose an economic hardship to the applicant because it would restrict the physical and economic growth of their business. The proposed impact will not impact the current functions of the existing wetlands.

2010-02908 KORDAS, WILLIAM & ELIZABETH
GOFFSTOWN Black Brook

Requested Action:

Dredge and fill 4,705 square feet of wetlands (110 linear feet of intermittent stream) for installation of a 48" wide x 64' long culvert for construction of a roadway crossing for a 17-lot subdivision on 141.5 acres.

APPROVE PERMIT:

Dredge and fill 4,705 square feet of wetlands (110 linear feet of intermittent stream) for installation of a 48" wide x 64' long culvert for construction of a roadway crossing for a 17-lot subdivision on 141.5 acres.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell and Associates, Inc. dated 1/13/2011, as received by the NH Department of Environmental Services (DES) on 2/18/2011.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands at some point on the property in order to reach developable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is crossing at the narrowest location, and has tightened side slopes to 1.5:1, decreasing the requested impact by over 20%, and increasing the buffer to the vernal pool.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project. Although there were species of concern reported for the project vicinity the NH Natural Heritage Bureau does not expect the species to be impacted by the project.

5. The Goffstown Conservation Commission did not report.

2011-00373 DANOFF, DOUGLAS
DEERFIELD Northwold Lake

Requested Action:

Applicant proposes to add rip rap to a natural shoreline within both abutters 20 ft setback, and add steps lakeward of full lake elevation.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN DISQUALIFIED:

Deny applicants PBN request to add rip rap to a natural shoreline within both abutters 20 ft setback, and add steps lakeward of full lake elevation. This exceeds the PBN project types for repair of existing structures.

With Findings:

The proposed addition of rip rap exceeds the PBN project types for repair of existing structures.

MINIMUM IMPACT PROJECT

2011-00184 NORTHBROOK CONDOMINIUM ASSOCIATION
NORTH CONWAY Tributary To Saco River

Requested Action:

Temporarily impact 355 square feet of wetlands for the installation of new sewer pipes in the same location as existing septic system piping.

APPROVE PERMIT:

Temporarily impact 355 square feet of wetlands for the installation of new sewer pipes in the same location as existing septic system piping.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. entitled Design Drawings for the Municipal Sewer Connection prepared for Northbrook Condominium Association located in North Conway, New Hampshire (Sheets 1-3 and 5-10 of 10) dated January 07 2011, as received by the Department on January 21, 2011 and Sheet 4 of 10 dated January 07 2011, as revised and received by the Department on February 15, 2011.
2. Work shall be done during periods of non-flow.
3. Areas of temporary impact shall be restored to pre-construction conditions.
4. Native material removed from the streambed during sewer main installation, shall be stockpiled separately and used to restore the natural channel bottom.
5. Mulch within the restored temporary impact areas shall be straw.
6. Seed mix within the restored temporary impact areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow; and (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The NH Natural Heritage Bureau commented that although there was a NHB record in the vicinity, they do not expect that it will be impacted by the proposed project.
6. No comments were submitted from the Conservation Commission.

2011-00244 EDWARDS, ANDREW
HILLSBOROUGH Franklin Pierce Lake

Requested Action:

Restore ± 2,406 sq. ft. wetlands adjacent to Franklin Pierce Lake.

APPROVE PERMIT:

Restore ± 2,406 sq. ft. wetlands adjacent to Franklin Pierce Lake.

With Conditions:

1. This permit is contingent upon the restoration of 2,406 square feet of wetlands and in accordance with plans dated November 30, 2010, as received by the DES Wetlands Bureau on January 26, 2011.
2. Restoration shall be completed by January 2012.
3. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration

areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

4. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

5. The restoration area shall be regraded to original contours following completion of work.

6. Only native plant species appropriate to the area shall be planted.

7. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications and shall contain no reed canary grass (*Phalaris arundinacea*).

8. Mulch used within the wetland restoration areas shall be natural straw or equivalent.

9. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

10. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

11. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (30) days of the completion of construction.

13. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00249 PUBLIC SERVICE CO OF NH **GORHAM Unnamed Wetland**

Requested Action:

Replace a compromised transmission line pole structure. Work in jurisdiction includes 150 square feet of permanent impacts for the new structure and 6,500 square feet temporary impacts for access.

APPROVE PERMIT:

Replace a compromised transmission line pole structure. Work in jurisdiction includes 150 square feet of permanent impacts for the new structure and 6,500 square feet temporary impacts for access.

With Conditions:

1. All work shall be in accordance with plans by Northeast Utilities entitled Wetland Area GW293 dated 12/19/2010, as received by DES on January 27, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Work shall be done during frozen conditions or low flow.
4. The equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils.
5. The equipment shall be operated and maintained to avoid spillage of oil, gas, or hydraulic fluids.
6. All temporary impacts to wetlands shall be regraded to original contours and stabilized within 72 hours following the completion of work and within 30 days of the start of work;
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is located within the existing power line right of way and is a replacement of an existing transmission line pole structure.
6. The NH Natural Heritage Bureau commented that although there was a NHB record in the vicinity, they do not expect that it will be impacted by the proposed project.

FORESTRY NOTIFICATION

2011-00277 PHELPS, JOHN
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:
Claremont Tax Map 130, Lot# 2

2011-00343 HARTWELL, JAMES
SOUTH HAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
South Hampton Tax Map 2, Lot# 53

2011-00345 ROUNDS, STEVE
PIERMONT Unnamed Stream

COMPLETE NOTIFICATION:
Piermont Tax Map R6, Lot# 4

2011-00346 FOWSKI REVOC TRUST, JUDITH
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R22, Lot# 1

2011-00367 NEW ENGLAND FORESTRY FOUNDATION
NEW BOSTON Unnamed Stream

COMPLETE NOTIFICATION:
New Boston Tax Map 10, Lot# 14

EXPEDITED MINIMUM

2010-02993 FITZWILLIAM, TOWN OF
FITZWILLIAM Unnamed Wetland

Requested Action:

Dredge and fill \pm 400 sq. ft. of wetlands at Templeton Turnpike to replace an existing damaged granite slabbed culvert and install twin 24-inch x 30-foot culvert.

APPROVE PERMIT:

Dredge and fill \pm 400 sq. ft. of wetlands at Templeton Turnpike to replace an existing damaged granite slabbed culvert and install twin 24-inch x 30-foot culvert.

With Conditions:

1. All work shall be in accordance with plans by Graz Engineering, LLC dated October 15, 2010, as received by the Department on November 01, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00189 CERATO, MICHAEL/KAREN
HOLLIS Unnamed Pond

Requested Action:

Maintenance dredge 18,437 square feet of an existing man made pond for continued usefulness.

Conservation Commission/Staff Comments:

The Hollis Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Maintenance dredge 18,437 square feet of an existing man made pond for continued usefulness.

With Conditions:

1. All work shall be in accordance with the 'Pond Maintenance Dredging Plan by Meridian Land Services, Inc. (Sheet 1 of 1) dated November 19, 2010, as received by the NH Department of Environmental Services (DES) on January 21, 2011.
2. NHDES Wetlands Bureau Southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be conducted during (seasonal) low flow conditions, and during drawdown where practicable.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
11. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00262 READ, PRUDENCE
JAFFREY Unnamed Wetland

Requested Action:

Dredge and fill \pm 79 sq. ft. of wetlands for pond construction.

APPROVE PERMIT:

Dredge and fill \pm 79 sq. ft. of wetlands for pond construction.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC, dated December 01, 2010, as received by the Department on January 31, 2011.
2. All work shall be done during low flow conditions.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Machinery shall be staged and refueled in upland areas.
5. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
7. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2010-03456 FERRANTE, RON
CONCORD Unnamed Wetland

Requested Action:

Maintenance dredge approximately 3,000 sq. ft. of wet meadow wetlands/drainage swales for farming.

APPROVE PERMIT:

Maintenance dredge approximately 3,000 sq. ft. of wet meadow wetlands/drainage swales for farming.

With Conditions:

1. All work shall be done in accordance with plans by Ron Ferrante as received by the NH Department of Environmental Services

(DES) on January 18, 2011. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.

2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u) Maintenance or improvement of existing crop or pasture land for continued agricultural use, provided:

(1) The applicant's county conservation district certifies in writing that:

- a. The project is in accordance with a plan developed to standards of the "Best Management Wetland Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;
- b. The project is necessary for or incidental to a preexisting and ongoing bonafide agricultural operation as defined by RSA 21:34-a; and
- c. The plan is limited to those items addressed by the "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;

(2) The applicant accepts a permit condition stating that any change in use to a non-agricultural purpose will require further permitting by the department;

(3) The applicant shall record the permit at the registry of deeds;

(4) The improvement portion of the project does not impact more than 3 acres of wetland;

(5) The project is not in or adjacent to prime wetlands, is not in sand dunes, is not in the 100 foot tidal buffer zone, and does not meet the requirements of Env-Wt 303.02(k);

(6) The project will cause alteration only to wet meadows except where specifically described in "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;

GOLD DREDGE

2011-00364 LUND, TERRY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00365 ABBOTT JR, GERALD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath Con Com

LAKES-SEASONAL DOCK NOTIF

2011-00351 WELLE-DAPKUS, LAURA
GILMANTON IRON WORKS Crystal Lake

COMPLETE NOTIFICATION:

Gilmanton IW Tax Map 110, Lot# 27 Crystal Lake

2011-00382 KATZKA, MARJORIE
MOULTONBOROUGH Unnamed Stream Lake Kanasata

COMPLETE NOTIFICATION:

Moultonboro Tax Map 137, Lot# 35 Lake Kanasata

PERMIT BY NOTIFICATION

2011-00310 PINGREE, WILLIAM
PORTSMOUTH Sagamore Creek

Requested Action:

Replace two existing float stop pilings and associated crossbeam to repair existing tidal dock structure on Sagamore Creek.

Conservation Commission/Staff Comments:

Portsmouth Conservation Commission signed PBN.

PBN IS COMPLETE:

Replace two existing float stop pilings and associated crossbeam to repair existing tidal dock structure on Sagamore Creek.

2011-00311 SALEM, TOWN OF
SALEM Unnamed Stream

Requested Action:

Impact 50 square feet within the bed and banks of an intermittent stream to maintain an existing culvert outfall and add a rip-rap apron.

Conservation Commission/Staff Comments:

The Salem Conservation Commission signed the PBN.

PBN IS COMPLETE:

Impact 50 square feet within the bed and banks of an intermittent stream to maintain an existing culvert outfall and add a rip-rap apron.

2011-00341 NOTTINGHAM, TOWN OF
NOTTINGHAM Lake Pawtuckaway

Requested Action:

Conduct spillway maintenance/repairs and install an associated temporary coffer dam at Drowns Dam at Lake Pawtuckaway, total impact area 7,800 square feet.

PBN IS COMPLETE:

Conduct spillway maintenance/repairs and install an associated temporary coffer dam at Drowns Dam at Lake Pawtuckaway, total impact area 7,800 square feet.

CSPA PERMIT

2008-02302 BURTON, JEFFREY/SUSAN
MOULTONBOROUGH Lees Pond

Requested Action:

AMENDMENT DESCRIPTION: Construct addition (37.6 ft x 52.6ft) along westerly perimeter of residence, modify driveway (4090 sq ft permeable/1370 sq ft impermeous) to provide access to attached garage, install walkway leading to shoreline. Restore 1820 sq ft of unaltered area to reach 50 percent requirement.

Impact 2,036 sq ft to convert an existing 17 ft by 14 ft screen porch to living space on a poured foundation and construct a 24 ft by 15 ft addition to the north side of the house, and remove and revegetate 1,390 sq ft of existing paved driveway.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Construct addition (37.6 ft x 52.6ft) along westerly perimeter of residence, modify driveway (4090 sq ft permeable/1370 sq ft impermeous) to provide access to attached garage, install walkway leading to shoreline. Restore 1820 sq ft of unaltered area to reach 50 percent requirement.

Impact 2,036 sq ft to convert an existing 17 ft by 14 ft screen porch to living space on a poured foundation and construct a 24 ft by 15 ft addition to the north side of the house, and remove and revegetate 1,390 sq ft of existing paved driveway.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated February, 2011 and received by the Department of Environmental Services ("DES") on February 10, 2011.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 11,343 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,795 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The Applicant shall be responsible for verifying that the project as proposed has obtained any and all subsurface system approvals as required per Chapter Env-Ws 1000.

10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

2010-00188 LEVESQUE/ FOREST, NATHAN & THOMAS
WASHINGTON Highland Lake

Requested Action:

Impact 1,257 sq ft to remove existing dwelling and to rebuild on the same footprint.

AMENDMENT DESCRIPTION: From east side of house, add a 420 sq ft deck 10 ft toward reference line. Within the woodland buffer, install a septic system leaving approximately 25 percent unaltered area.

Inspection Date: 06/25/2010 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Impact 1,257 sq ft to remove existing dwelling and to rebuild on the same footprint.

AMENDMENT DESCRIPTION: From east side of house, add a 420 sq ft deck 10 ft toward reference line. Within the woodland buffer, install a septic system leaving approximately 25 percent unaltered area.

With Conditions:

1. This permit is contingent on approval by the DES Subsurface Systems Bureau.
2. All work shall be in accordance with plans by Forest Designs dated November 30, 2009 and received by the Department of Environmental Services ("DES") on February 2, 2010.
3. No more than 10% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,284 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 907 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00108 LAMSON, BONNIE/PAUL
DOVER Boston Harbor

Requested Action:

Impact 1,804 sq ft for the purpose of constructing a new residential dwelling, new drieway and installing stormwater controls.

APPROVE PERMIT:

Impact 1,804 sq ft for the purpose of constructing a new residential dwelling, new drieway and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with revised plans by Robert Prokop of Wetland Consulting Services received by the Department of Environmental Services ("DES") on February 7, 2011.
2. No more than 24.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
5. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
6. All proposed plantings shall achieve a 100% success rate.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.

2011-00236 HUARD, DEBRA
STODDARD Highland Lake

Requested Action:

Impact 500 sq ft in order to repair top of bank, add native plants and pervious pavers within the waterfront buffer.

APPROVE PERMIT:

Impact 500 sq ft in order to repair top of bank, add native plants and pervious pavers within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Oak Hill Environmental Services dated December 15, 2010 and received by the NH Department of Environmental Services (DES) on January 26, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. This permit is contingent on approval by the DES Wetlands Bureau RSA 482-A.
4. No more than 11.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 8,173 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,173 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00257 GILL, RONALD/SUSAN
FARMINGTON Baxter Lake

Requested Action:

Impact 304 sq ft in order to convert deck into a year round room with deck and stairs.

APPROVE PERMIT:

Impact 304 sq ft in order to convert deck into a year round room with deck and stairs.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Environmental Consultants, LLC dated November 30, 2010 and received by the NH Department of Environmental Services (DES) on February 15, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00321 TOWN OF SUNAPEE
SUNAPEE Sunapee Lake

Requested Action:

Impact 1,388 sq ft in order to construct a handicap bathroom with deck and ramp.

APPROVE PERMIT:

Impact 1,388 sq ft in order to construct a handicap bathroom with deck and ramp.

With Conditions:

1. All work shall be in accordance with plans by Scott Blewitt dated February 1, 2011 and received by the NH Department of Environmental Services (DES) on February 7, 2011.
2. No more than 6.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,720 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00334 SHAPIRO, DAVID
LACONIA Lake Winnepesaukee

Requested Action:

Impact 792 sq ft in order to raze house and rebuild within the same footprint with steps located on the side of house.

APPROVE PERMIT:

Impact 792 sq ft in order to raze house and rebuild within the same footprint with steps located on the side of house.

With Conditions:

1. All work shall be in accordance with plans by David Shapiro dated February 1, 2011 and received by the NH Department of Environmental Services (DES) on February 10, 2011.
2. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The site within the 250 ft shoreland protection has been completely altered. Owners of lots legally developed or landscaped prior to July 1, 2008 that do not comply with the unaltered area standards are encouraged to, but shall not be required to, increase the percentage of area maintained in an unaltered state RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00355 MURPHY, SHAUN/SUZANNE
SUNAPEE Sunapee Lake

Requested Action:

Impact 2,468 sq ft in order to lift house and install a basement directly under structure.

APPROVE PERMIT:

Impact 2,468 sq ft in order to lift house and install a basement directly under structure.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs LLC dated February 7, 2011 and received by the NH Department of Environmental Services (DES) on February 14, 2011.
2. Within the waterfront buffer, a total of 50 points per grid must be maintained in order to meet the requirements of RSA 483-B:9.
3. No more than 14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,852 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2009-01062 BONENFANT, JEAN PIERRE & ROSILDA
DERRY Beaver Lake

Requested Action:

Amend Shoreland Permit to approve revised plan dated October 10, 2010, to impact 399 additional sq ft for the purpose of constructing a porch with stairs and retain two cantilevered decks, a bay window, a retaining wall, and two staircases.

Inspection Date: 06/10/2009 by Raymond M Reimold

APPROVE AMENDMENT:

Amend permit to read: Impact 8,974 sq ft to remove 2 structures including a non-conforming structure and construct a single non-conforming primary structure with a porch, two cantilevered decks, a bay window, retaining wall, two stairways, and driveway.

WAIVER APPROVED: RSA 483-B:9,II, (b), is waived to allow the construction of a primary structure that will encroach upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Blaisdell Survey, LLC. dated October 12, 2010 and received by the Department of Environmental Services ("DES") on October 15, 2010.
2. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A. Specifically, the proposed docking structure will require a separate permit from the NH DES Wetlands Bureau.
3. This approval includes a waiver of RSA 483-B:9, II, (b) and, therefore, shall not be effective until it has been recorded at the Rockingham County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt

requested.

4. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will result in the restoration of areas to remain in an unaltered state such that approximately 3,175 sq ft of the Natural Woodland Buffer beyond the primary building setback shall be maintained in an unaltered state. At least 3,175 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the areas to be restored to an "unaltered state" and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1st of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restored area.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The project as proposed would result in improved storm water treatment through reduced impervious area within the primary building setback and restoration of areas to remain in an unaltered state.
4. The applicant has proposed to reduce the total area of impervious surfaces and restore areas to be maintained in an unaltered state to offset the proposed impacts, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

2011-00363 PSNH
WARNER Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amonut